

REMARKS

Claims 1-15, 17-21 and 23-24 are all the claims presently pending in the application, of which claims 1, 21, 23 and 24 are independent. Claims 1-24 are rejected, of which Applicant has amended claims 1-15, 17-21 and 23-24. Claims 16 and 22 have been cancelled.

Applicant expresses appreciation to the Examiner for the Examiner's phone interview conducted July 16, 2003, addressing the prior art rejections made in the Office Action dated April 28, 2003. In that interview, Applicant presented proposed claim amendments to the Examiner addressing the prior art rejections and rejections made under 35 U.S.C. § 112. All of the amendments to the claims presented in the interview are included in this Amendment.

Claim Objections:

The Examiner objected to claims 16 and 22 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant has cancelled each of claims 16 and 22 and respectfully submits that the objection to such claims should now be withdrawn.

Rejections under 35 U.S.C. § 112:

Claims 1-22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Based on a previous phone discussion with the Examiner, Applicant has amended the preamble in each of the independent claims to recite "A disposable liner member" as well as amending each of the dependent claims to reflect the added recitation of "member". Applicant respectfully submits that such added recitation overcomes the rejection under 35 U.S.C. § 112, second paragraph, of claims 1-22. If there is anything

more that requires amending to overcome this rejection, Applicant respectfully invites the Examiner to call the Applicant's attorney of record to discuss this matter.

In addition, dependent claims 4, 8, and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended dependent claims 4 and 5 by replacing the claim recitation "linear" with the claim recitation "support". Also, Applicant has amended claim 8 by replacing the claim recitation of "a continuous extension" with the claim recitation of "integrally extends from". Further, claim 14 has been amended by replacing the claim recitation "a continuous interconnection" with the claim recitation "integrally interconnected". Applicant respectfully submits that such added claim recitations overcome the specific rejections of claims 4, 8 and 14 under 35 U.S.C. § 112, second paragraph. Applicant respectfully requests these rejections be withdrawn

Rejections under 35 U.S.C. 103:

Claims 1-9, 12-19 and 21-22

The Examiner rejected claims 1-9, 12-19 and 21-22 under 35 U.S.C. 103 based on Greenfield et al. (U.S. Pub. No. 2002/0079316 A1) in view of Steger (U.S. Pat. No. 949,453).

The Greenfield reference teaches a contoured plastic pan liner made from two side panels 12 and 14 sealed together with a seam 16. *See* Greenfield et al., paragraph 13 and FIG. 1. The Steger reference teaches a wire mesh vessel 2 with a single bail handle 8 coupled to the wire mesh vessel 2 at opposing sides thereof with eyelets 7 or fasteners.

Based on this prior art rejection, Applicant has amended independent claims 1 and 21 to patentably distinguish over the Greenfield reference and the Steger reference, alone and in combination. Specifically, amended independent claim 1 recites as follows:

1. A disposable liner member for a dutch oven comprising:
 - a liner having a bottom wall having a circular periphery and an upstanding side wall with an upper portion being circular defining a diameter, said liner having a liquid-retaining surface extending along said bottom wall to at least said upper portion of said upstanding side wall, said bottom wall and said upstanding side wall of said liner configured with a deformable material to conformably and abuttingly fit against an inner surface of the dutch oven; and
 - a plurality of handles directly attached to opposite sides of said upper portion of said liner, each of said plurality of handles being extendable from said upper portion of said liner and configured to be moveable with respect to said upper portion for completely enclosing in the dutch oven, each of said plurality of handles having a generally U-shaped configuration with two points of direct attachment to the liner, the two points of attachment expanding along said upper portion a distance substantially less than the diameter of the upper portion of the liner.

As previously discussed and addressed in the Examiner's phone interview conducted July 16, 2003, the Greenfield and Steger references, alone or in combination, do not teach or suggest each and every claim recitation in amended independent claim 1. Therefore, Applicant respectfully submits that the rejection of independent claim 1 under 35 U.S.C. 103 based on the Greenfield reference and the Steger reference should be withdrawn. Independent claim 21 has been amended with similar claim recitations as independent claim 1 and, therefore, independent claim 21 should be patentable over the Greenfield and Steger references for at least the same reasons as independent claim 1. With respect to dependent claims 2-15 and 17-20, they are patentable over the Greenfield and Steger references based on at least their dependency from claim 1. Claims 16 and 22 have been cancelled.

Claim 24

The Examiner rejected claim 24 under 35 U.S.C. 103 as being unpatentable over the Greenfield reference in view of Hayes (U.S. Pat. No. 451,640).

As previously set forth, the Greenfield reference teaches a contoured plastic pan liner made from two side panels 12 and 14 sealed together with a seam 16. *See* Greenfield et al., paragraph 13 and FIG. 1. The Hayes reference teaches a wire basket 1 with a bail handle 9 coupled at each end to guides 5 and 6 fastened to the wire basket 1. The bail handle 9 is slidably retractable through the guides 5 and 6 so that a cover 13 or lid attached to the handle sits flush with a top portion of the wire basket 1. *See* Hayes, lines 32-62; FIGS. 1, 2 and 3.

Based on this prior art rejection, Applicant has amended independent claim 24 to patentably distinguish over each of the Greenfield and Hayes references, alone and in combination. Specifically, neither the Greenfield reference nor the Hayes reference, alone or in combination, teach or suggest “a plurality of handles directly attached to opposite sides of said upper portion of said liner, each of said plurality of handles being extendable from said upper portion of said liner, said plurality of handles configured to be maneuverable so that said basin lid sits flat on said upper ridge of said basin without interference, each of said plurality of handles having a generally U-shaped configuration with two points of direct attachment to the liner, the two points of attachment expanding along said upper portion a distance substantially less than the diameter of the upper portion of the liner,” as recited in amended independent claim 24.

Therefore, since the Greenfield and Hayes references, alone and in combination, do not teach or suggest each and every element of amended claim 24, Applicant respectfully submits that the rejection of amended claim 24 should be withdrawn.

Claims 10-11

The Examiner rejected dependent claims 10-11 under 35 U.S.C. 103 as being unpatentable over the Greenfield reference in view of the Steger reference, as applied above, and further in view of the Hayes reference.

However, as previously set forth, the Greenfield and Steger references, alone and in combination, do not teach each and every claim limitation in amended independent claim 1. Further, the Hayes reference does not overcome that which is lacking in the Greenfield and Steger references. As previously set forth, the Hayes reference teaches a wire basket 1 with a bail handle 9 coupled at each end to guides 5 and 6 fastened to the wire basket 1. The bail handle 9 is slidably retractable through the guides 5 and 6 so that a cover 13 or lid attached to the handle sits flush with a top of the wire basket 1. *See* Hayes, lines 32-62; FIGS. 1, 2 and 3. Furthermore, the Hayes reference does not teach or suggest “a plurality of handles directly attached to opposite sides of said upper portion of said liner, each of said plurality of handles being extendable from said upper portion of said liner and configured to be moveable with respect to said upper portion for completely enclosing in the dutch oven, each of said plurality of handles having a generally U-shaped configuration with two points of direct attachment to the liner, the two points of attachment expanding along said upper portion a distance substantially less than the diameter of the upper portion of the liner,” as recited in amended claim 1. Therefore, the Greenfield, Steger and Hayes references, alone or in combination, do not teach or suggest each and every claim limitation as recited in independent claim 1. As such, dependent claims 10 and 11 are patentable over each of the Greenfield, Steger and Hayes references, alone or in combination, based on at least their dependency from claim 1. Applicant therefore respectfully requests the Examiner withdraw this rejection of dependent claims 10 and 11.

Claim 20

The Examiner rejected dependent claim 20 under 35 U.S.C. 103 as being unpatentable over the Greenfield reference in view of the Steger reference, as applied above, and further in view of the GB 2221143A (hereinafter referred as the “Great Britain reference”). However, as previously set forth, the Greenfield and Steger

references, alone and in combination, do not teach each and every claim limitation in amended independent claim 1. The Great Britain reference teaches an aluminum foil insert for pots and pans, but does not teach or suggest that which is lacking in the Greenfield and Steger references, with respect to independent claim 1 as previously set forth. Therefore, Applicant respectfully submits dependent claim 20 is patentable over the Greenfield, Steger and Great Britain references, alone and in combination, based on at least its dependency from amended independent claim 1.

Claim 23

The Examiner rejected claim 23 under 35 U.S.C. 103 as being unpatentable over the Greenfield reference in view of the Steger reference, as applied above, and further in view of "Leonard, American Cooking: The Great West" (hereinafter referred as the "Leonard reference"). Independent claim 23 has been amended with similar claim recitations as that recited in amended independent claim 1. As previously set forth, the Greenfield and Steger references, alone and in combination, do not teach or suggest each and every claim limitation with respect to amended independent claim 1, and thus, these references do not teach or suggest the similar claim limitations recited in amended claim 23. The Leonard reference teaches a method for dutch oven cooking, but does not teach or suggest the disposable liner member as recited in the claims. As such, the Leonard reference does not overcome that which is lacking in the Greenfield and Steger references with respect to amended independent claim 23. Therefore, Applicant respectfully submits that each of the Greenfield, Steger and Leonard references, alone or in combination, do not teach or suggest each and every claim limitation recited in amended claim 23. Applicant respectfully requests the rejection of independent claim 23 under 35 U.S.C. 103 as being unpatentable over the Greenfield reference in view of the Steger reference and further in view of the Leonard reference be withdrawn.

CONCLUSION

For the foregoing reasons, Applicants respectfully request the Examiner to withdraw all rejections, and to find the application now to be in condition for allowance with claims 1-15, 17-21 and 23-24. However, if the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to call the undersigned to discuss any unresolved issues and to expedite the disposition of the application.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 25th day of July, 2003.

Respectfully submitted,



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